

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

UNITED STATES OF AMERICA)
)
v.) CRIM. CASE NO. 3:23-cr-122-TES
)
SHARRELLE SHAQUONA ALLEN)

ORDER

On May 17, 2024, the Magistrate Judge entered a Report and Recommendation Concerning Plea of Guilty (Doc. 28), to which Notices of No Objection have been filed. (Doc. 30); (Doc. 31). Accordingly, it is

ORDERED that the Magistrate Judge's Report and Recommendation (Doc. 28) is ADOPTED, the Court ACCEPTS the Defendant's plea of guilty as to Counts 1 and 2 of the Indictment (Doc. 1), and the Defendant is adjudged guilty of these offenses. It is further ORDERED as follows:

1. The sentencing of Defendant is set for **SEPTEMBER 19, 2024**, at **11:00 a.m.** at the G.W. Andrews Federal Building and U.S. Courthouse, 701 Avenue A, Opelika, AL 36801.

2. In accordance with Rule 32(f)(1), *Federal Rules of Criminal Procedure*, counsel for Defendant and the Government shall communicate in writing to the probation officer, and to each other, any objections they have as to any material information, sentencing classifications, sentencing guideline ranges, and policy statements contained in or omitted from the presentence report. The probation officer will notify the parties of the objection deadline and will schedule a conference to discuss and resolve, if possible, any factual and legal issues contained in the presentence report.

3. Any motion for downward departure shall be filed **on or before the conference date** set by the probation officer, unless based on unknown and unforeseen circumstances arising after that date, in which case the motion must be filed promptly upon discovery of such circumstances.

4. Counsel for Defendant and the Government are to notify the Court **no later than AUGUST 29, 2024**, if the hearing is anticipated to take more than one hour.

5. Government and defense motions **shall be filed no later than noon on SEPTEMBER 5, 2024**.

6. **Sentencing Memoranda:** Sentencing memoranda **ARE REQUIRED** and shall be filed, with any attachments, **no later than noon on SEPTEMBER 5, 2024**, with copies served on opposing counsel and the probation officer assigned to the case. **Responses to sentencing memorandums are also required and shall be filed no later than NOON on SEPTEMBER 9, 2024.**

7. **Sentencing Exhibits:** Any paper exhibit that a party may offer at the sentencing hearing shall be filed electronically as a Notice of Filing Sentencing Exhibits. If the paper exhibit was filed as an attachment to a sentencing memorandum (*see* paragraph 6 above), the Notice should reference the attachment by the e-filed document number (*e.g.*, Doc. 54-3), but the attachment itself need not be filed a second time. As to physical evidence that may be offered at the sentencing hearing, the offering party shall attach a photograph of the physical evidence to a Notice of Filing Sentencing Exhibits. Finally, any storage media (*e.g.*, CDs, DVDs) that may be offered at the sentencing hearing shall be filed conventionally, along with an electronically filed notice of conventional filing.

All exhibits referenced in this paragraph — paper, physical evidence, and storage media — shall be filed (in accordance with the procedures in the preceding paragraph) **no later than noon on SEPTEMBER 5, 2024**, with copies served on opposing counsel and the probation officer assigned to the case.

8. The parties shall comply with Rule 49.1 of the Federal Rules of Criminal Procedure and refrain from including, or shall partially redact where inclusion is necessary, personal data identifiers from all filings with the court, including exhibits, whether filed electronically or in paper, unless otherwise ordered by the court. The responsibility for redacting these personal identifiers rests solely with counsel and the parties.

9. **Introduction of Exhibits at Sentencing:** Any of the above referenced exhibits that a party moves to introduce at sentencing shall be offered at the hearing, even if a copy of the exhibit previously was filed in accordance with paragraphs 6 and 7 of this Order.

Nothing contained in this Order shall be construed as impairing the rights of any party as established in the United States Constitution or laws of the United States.

Done, this 20th day of May, 2024.

S/ Tilman E. Self, III

TILMAN E. SELF, III, JUDGE

UNITED STATES DISTRICT COURT